

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

LEWIS PARKER WALKER,

Plaintiff,

V.

CLERK SHEILA H. PERRY, et al.,

Defendants.

CIVIL ACTION NO. 5:12-CV-057 (MTT)

ORDER

This matter is before the Court on the Plaintiff's Motion to Amend his Complaint and Motion for Reconsideration. (Doc. 7). For the following reasons, the Motions are **DENIED**.

The Court dismissed the Plaintiff's Complaint on February 27, 2012, for failing to state a claim pursuant to 28 U.S.C. § 1915A(b)(1). (Doc. 5). The Plaintiff now moves to amend his dismissed complaint and for reconsideration of the dismissal of that complaint. Because the Plaintiff's Complaint has already been dismissed, amending it at this stage not a viable option for the Plaintiff. Therefore, the Motion to Amend is **DENIED.**

With regard to the Plaintiff's Motion for Reconsideration, pursuant to Local Rule 7.6, "Motions for Reconsideration shall not be filed as a matter of routine practice." M.D. Ga., L.R. 7.6. "Reconsideration is appropriate only if the movant demonstrates (1) that there has been an intervening change in the law, (2) that new evidence has been discovered which was not previously available to the parties in the exercise of due

diligence, or (3) that the court made a clear error of law.” *Bingham v. Nelson*, 2010 WL 339806, at *1 (M.D. Ga. 2010) (internal quotations and citation omitted). “In order to demonstrate clear error, the party moving for reconsideration must do more than simply restate his prior arguments, and any arguments which the party inadvertently failed to raise earlier are deemed waived.” *McCoy v. Macon Water Authority*, 966 F.Supp. 1209, 1222-23 (M.D. Ga. 1997).

Here, the Plaintiff has not met his burden. He has alleged no intervening change in the law, has presented no new evidence not previously available to the parties, and the Court is not persuaded its previous ruling was clearly erroneous. Accordingly, the Plaintiff’s Motion for Reconsideration is **DENIED**.

SO ORDERED, this the 3rd day of April 2012.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT